

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action dated November 2, 2005, in which the Examiner (1) objected to claims 5 and 7 for informalities, (2) rejected claims 1-9, 13-16 and 18-25 under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 4,106,062 ("**Foote**") in view of US Patent No. 6,912,398 ("**Domnitz**"), and (3) rejected claims 10-12, 17 and 19 under 35 U.S.C. § 103(a) as being unpatentable over **Foote** as modified by **Domnitz** and further in view of US Patent No. 5,518,122 ("**Tilles**").

By the present Amendment, Applicants have amended claims 5 and 7 (to overcome the Examiner's objection to such claims), have added new dependent claim 26 in order to recite additional features, and have amended claims 2-5, 7, 13 and 14, and have cancelled claims 8 and 9 for consistency with amendments to other claims.

Applicants respectfully traverse the rejection of the claims under 35 U.S.C. §103.

The primary reference relied upon by the Examiner, **Foote**, discloses an apparatus for producing magnetically encoded credit cards, where cards are encoded (with data from memory 70) at stations 14 and 22 (Fig. 1). The data encoded on the magnetic strip is then read at a station 32 and compared (at comparator 75) to the original data stored in memory 70. If a positive comparison is made, the card is subsequently embossed at an address panel 9 (Fig. 4) with human readable information at a printing station 36 (Fig. 1). Further in the processing, an envelop is printed and the card is inserted into the envelope at a station 52.

Foote fails to disclose several key, claimed features of Applicants' invention. For example, in claim 1 there are recited the following steps:

"providing an ID label for use in delivery of each RF device;
receiving an identification code emitted from the RF device;
reading the ID label; and

comparing information associated with the identification code with
information associated with the ID label."

In **Foote**, while an ID label (mailing label or address) is printed on the envelop at station 52, there is no comparison of that label with any other information. Thus, the label in **Foote** is not "read", nor is the ID label "compared" to any information, as recited in claim 1.

Applicants have noted that the Examiner refers to the panel 9 on the card as being an ID panel (page 3 of the Remarks). However, the panel 9 is not "read" anywhere in the apparatus, as required in **Foote** in claim 1. In addition, the information on the panel 9 (which is printed at station 36) is not compared to any other information. While the panel 9 is referred to as an "address" panel, it does not appear that the panel includes any addressing information (see Fig. 4, where it is illustrated as having only account information and the name of the account holder), and it is clear that the information in the panel 9 is not a label "for use in delivery" (rather, such delivery or mailing information is printed on an envelop at the station 52 -- see col. 5, lines 31-45).

Thus, **Foote** fails to disclose both the recited elements of "reading the ID label" and "comparing information associated with the identification code with information associated with the ID label," as recited in claim 1. Similar limitation also appear in the other independent claims 15, 24 and 25.

The Examiner has combined **Foote** with **Domnitz**, referring to **Domnitz's** disclosure of "a credit card having an RFID." However, **Domnitz** likewise does not disclose the recited elements of "reading the ID label" and "comparing information associated with the identification code with information associated with the ID label," as recited in claim 1.

The Examiner states, in rejecting claims 15, 18, 24 and 25 (page 3 of the Remarks) that in **Foote** "the printer 37 serves as the labeler; the information is verified by comparing the output information from a database 70 (register 70-13) and the output information from the read head (magnetic information) with the information recorded on the card (visual indicia/address information); a processor is inherently included for processing information (see col. 6, lines 29-35)." Applicant points out that printer 37 is not "a labeler for preparing a mailing label for use in delivering" as recited, e.g., in claim 15, but rather is only used to emboss the card 1 in **Foote**. The labeler in **Foote** is the printer at station 52, which prints the envelop for mailing (col. 5, lines 31-45).

Even if one were to regard the printer 37 as a "labeler," as stated by the Examiner, there is clearly no "label reader for reading mailing information from the mailing label" as recited in claim 15. The information embossed on the card at printer 37 is never read in the **Foote** apparatus. Rather, the only information read in **Foote** is the magnetically encoded information on the magnetic strip, and that information or strip is clearly not a "mailing label for use in delivering," as recited in claim 15.

In rejecting dependent claims 10-12, 17, and 19, the Examiner combines **Foote** and **Domnitz** with **Tiller**. **Tiller** discloses a modular mail processing system having a labeler 225, a bar code printer 230, and a verify bar code reading (reader) 235. As best understood by Applicants, the Examiner relies on **Tiller** (in combination with **Foote** and **Domnitz**) to disclose the use of a labeler, bar code encoder and bar code reader in combination with the other elements recited in parent claims 1 and 15. However, as noted above in connection with claim 1, **Foote** (either alone or as combined with **Domnitz**) does not disclose several key features of the independent claims, such as "reading the ID label" and "comparing information associated with the identification code with information associated with the ID label." Thus, neither the independent claims nor the dependent claims (which recite various limitations in addition to features of their respective parent claims) are believed to be taught, shown or suggested by any of the cited references, either alone or as combined by the Examiner.

Conclusion


In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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